

Remarks

Applicants respectfully request reconsideration of the application.

Claims 1-10 are rejected under 35 U.S.C. Section 102(e) as being anticipated by U.S. Patent No. 6,430,306 to Slocum et al. (“Slocum”).

Claims 11-14 are rejected under 35 U.S.C. Section 103(a) as being unpatentable over Slocum.

Claims 1-10

Applicants respectfully submit that Slocum does not anticipate claim 1 because it does not disclose “a first server in operable communication with the first database, the first server programmed to send, at a predetermined time, one or more digitized images from the first database to a biometric recognition system, the biometric recognition system in operable communication with a second database...” **and** programmed to “receive from the biometric recognition system, for each digitized image sent, an indicator, based on the biometric searching of the second database, as to whether the second database contains any images of individuals who may at least partially resemble the digitized image that was sent” as recited in claim 1 in combination with the other elements of claim 1.

In response to the last Action, the Office reiterates its position with respect to Slocum’s alleged teachings of the elements of claim 1, but Applicants’ respectfully submit that Slocum does not teach all of the elements of claim 1.

The following chart is a summary of the Office’s position and includes Applicants’ comments in response.

Claim element	Slocum teachings alleged to correspond to claim element	Applicants’ response
First server	20 of Fig. 1 (central image server)	The central image server stores images, but is not involved in sending images to a biometric system as claimed. Moreover, it does not

		receive results (e.g., the claimed indicator) from the biometric recognition system as claimed
First database	Server 20, or separate database memory 36	Again, while this database stores images, the server 20 does not send these images to a biometric system as claimed. Slocum does not teach that the server 20 or database memory 36 are involved in sending or receiving information as claimed to and from the biometric recognition engine.
Biometric recognition system	Verification module executing on data processor 34	The verification module executing on the data processor 34 searches the official record database 24. The central image server 20 and separate database memory 36 are not involved in this process in any way. Therefore, the central image server 20 is not programmed to

		send and receive information to and from a biometric recognition system as claimed.
Second database	Demographic database 24	The verification module searches database 24, but does so without communicating with the server 20 or database memory 36 in any way.
workstation	Data processor 34	The Office appears to be contending that the data processor serves as both the workstation and the biometric recognition system. While this might be possible, it does not overcome the fact that there is no involvement of the central image server 20 or database memory 36 in the biometric recognition process.

One error in the Office's analysis, as pointed out in the last response, is that Slocum does not teach that the central image server 20 sends images from the first database (itself or database 36) to a biometric recognition system (allegedly data processor 34) as claimed. Slocum describes at cols. 7 and 8 that a verification module in the data processor 34 performs the process shown in Fig. 2. Slocum teaches that the verification module on the data processor 34 buffers an image acquired from the image

acquisition element 30. It then determines its projection signal and searches the official record database 24. See col. 9, lines 37-60. There is no suggestion in Slocum that the central image server 20 referenced in col. 6, or any other server, is involved in the process performed by the verification module executing within the data processor 34. Instead, only the data processor 34 and the official record database 24 are involved in the biometric analysis employed in Slocum.

In addition, an additional error in the Office's analysis is that the central image server 20 in Slocum does not "receive from the biometric system, for each digitized image sent, an indicator, based on biometric searching of the second database" as claimed in combination with other elements in claim 1.

For at least the above reasons, the Office's reliance on the central image server as the claimed first server is not valid, and Slocum does not anticipate claim 1.

Claims 2-10 are patentable over Slocum for at least the same reasons as claim 1.

Claims 11-14

Claim 11 is rejected as being obvious in view of Slocum. Slocum does not disclose the processing of plurality of images as claimed in which a predetermined portion of the images in the first database, are provided, at a predetermined time, to a biometric searching system for analyzing a plurality of previously captured images. Instead, Slocum only teaches that one image of a current applicant is submitted for analysis at a time.

Slocum further does not disclose or teach the claimed process that facilitates a batch analysis of matches as claimed. In particular, Slocum does not teach method of analyzing a batch of images where for each applicant, a result including a list of matches is provided including: ... each match having a score; "(c) selecting from the second database those results having a score above a predetermined threshold and providing the results to a fourth database;" and "(d) providing the selected results to an investigator" in combination with the other elements of claim 11. Slocum discloses an application program element that displays each image within the database stored in memory 24 that is substantially similar to the image acquired by the camera element 30. Slocum is silent regarding a score and specifically selecting results from a database having a score above a predetermined threshold, providing the results to a fourth database, and providing the

selected results to an investigator. As such, Slocum does render claim 11 obvious because it fails to suggest all of the elements of the claim.

The Office now contends that it is inherent that the projection signal in Slocum represents a score. The projection cannot be a score because it only represents a weighted set of eigenvectors for a particular image and does not provide any information on the degree to which this set of eigenvectors is similar to a set of eigenvectors for other images in the official record database 24. Slocum's system does not provide a score, but instead, only returns substantially similar images as the result and requires the operator to make a visual comparison without the aid of the scores. While Slocum might inherently employ some metric for determining "substantial similarity" of projection signals, it does not provide any measure or output of this metric along with the images that the search process returns.

Claims 12-14 are patentable over Slocum for at least the reasons provided for claim 11.

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